

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/567,562	02/08/2006	Yosuke Haruna	HARU3003/JEK	6636
23364 BACON & TH	7590 09/27/2007 [OMAS, PLLC		EXAMINER	
625 SLATERS LANE FOURTH FLOOR ALEXANDRIA, VA 22314			WATSON, ROBERT C	
			ART UNIT	PAPER NUMBER
			3723	,
			·	
			MAIL DATE	DELIVERY MODE
			09/27/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



	Application No.	Applicant(s)				
Office Action Commence	10/567,562	HARUNA, YOSUKE				
Office Action Summary	Examiner	Art Unit				
	Robert C. Watson	3723				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply						
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).						
Status		·				
 1) Responsive to communication(s) filed on <u>17 September 2007</u>. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i>, 1935 C.D. 11, 453 O.G. 213. 						
Disposition of Claims						
 4) Claim(s) 1-12 is/are pending in the application. 4a) Of the above claim(s) 2-5,10 and 11 is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) 1 and 6-9 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. 						
Application Papers						
9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.						
Priority under 35 U.S.C. § 119						
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 						
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date 2/8/06.	4) Interview Summary Paper No(s)/Mail Da 5) Notice of Informal P 6) Other:	ate				

Application/Control Number: 10/567,562

Art Unit: 3723

Regarding the IDS, the "311572" document was not found in the electronic file wrapper.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1 and 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yonezawa (409'- filed 1/31/03)) in view of Yonezawa et al ('266).

Yonezawa (409') shows a clamping apparatus having a central pillar 9 having an inclined outer surface, an annular intermediate member 15 having a straight outer surface and an inclined inner surface, and a pull member 23 connected to the annular intermediate member. In the central pillar at 65 the inner portion may be termed relay opening and the outer portion may be termed a groove which provided fluid flow to the mating surfaced between the pillar and the inner portion of the intermediate member.

Yonezawa ('266) teaches that it is desirable to provide fluid flow to the outer surface of the intermediate member 23 by means of a fluid passage 42 in the pillar.

To provide a fluid flow to the outer surface of the intermediate member 15 of Yonezawa (409') would have been obvious in view of the teachings of Yonezawa ('266). To accomplish this it would have been "obvious to try" to communicate with the outer surface of the intermediate member 15 by means of a hole through the intermediate member that would communicate with groove 65 adjacent the inside of the intermediate member in order that fluid flow would flow to the outer surface of the intermediate

Application/Control Number: 10/567,562 Page 3

Art Unit: 3723

member. One skilled in the art would have been motivated to do this in order to clean all moveable mating surfaces to enhance precision. The details of achieving the fluid flow whether by grooves or holes is no more than an obvious matter of design choice absent a showing of criticality for this feature.

Claims 2-5 and 10-12 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 9/17/07.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert C. Watson whose telephone number is 571 272-4498. The examiner can normally be reached on Mon. - Thurs., 5:30am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph J. Hail III can be reached on 571 272-4485. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HOBERT C. WATSON PRIMARY EXAMINER